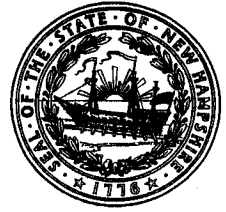




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 22, 2005

Kerry D. Barnsley, Esq.
NH Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Re: Docket No. NPLA 05-001 – Steven D. Sawyer

Dear Attorney Barnsley:

An Administrative Hearing relative to the above-captioned docket number was previously scheduled for October 3, 2005 at 2:30pm.

On September 22, 2005 you filed an *Assented-to Motion to Withdraw* ("the motion") with my office on behalf of the Department of Environmental Services, Water Division.

On September 22, 2005, the Presiding Officer, Assistant Commissioner Michael J. Walls, granted the motion.

If you have any questions, please contact me at (603) 271-6072 or by email at msclafani@des.state.nh.us

Sincerely,

COPY
Michael P. Sclafani,
Legal Assistant

cc: Steven D. Sawyer, Respondent
Michael J. Walls, Assistant Commissioner, DES
Harry T. Stewart, P.E., Director, DES Water Division
Richard J. de Seve, DES WD/SSB
Bill Evans, DES WD/SSB

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES**

Steven D. Sawyer
11 Lyford Drive
Fremont, NH 03044

**LICENSE ACTION
No. 05-001**

Re: Failed Septic System
1 Washington Drive, Raymond, NH

ASSENTED TO MOTION TO WITHDRAW

NOW COMES the Department of Environmental Services, Water Division ("DES"), by and through the DES Legal Unit, and files this Assented to Motion to Withdraw the captioned matter, and in support thereof states as follows:

1. This matter was originally filed as a license action against a licensed septic system installer in response to circumstances concerning a single septic system.
2. Based on additional facts and the results of further review received after the date of this action the Division has concluded that the respondent substantially complied with the rules.
3. Steven Sawyer has assented to the relief requested in this Motion, via voicemail. I certify that a copy of this Motion to Continue was sent this 22nd day of September 2005, to Steven Sawyer at 11 Lyford Drive, Fremont, NH 03044.

WHEREFORE, the Division respectfully requests that the Presiding Officer:

- A. Order the captioned License Action be marked "Withdrawn"; and
- B. Grant such further relief as fair and equitable.

Respectfully submitted,
DES Water Division

COPY

Kerry D. Barnsley, DES Compliance Attorney
P.O. Box 95, Concord, NH 03302-0095

9/22/05

☒ Motion Granted ☐ Motion Denied

COPY

Michael J. Walls, Presiding Officer

9/22/05
(date)